

CLASSIFICATION OFFICE DECISION

Title of publication: zphvlq4uxd

Other known title(s): Not stated

OFLC ref: 1900573.046

Medium: Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

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| Classification: | Objectionable. |
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Descriptive note: None

Display conditions: None

Date of entry in Register: 28 July 2020

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 27 July 2020

Summary of reasons for decision:

The image file is classified objectionable because it exploits the nudity of children to such a degree that its availability would be injurious to the public good. The image depicts young boys who have been unknowingly sexualised by being photographed naked by a covert photographer. The voyeuristic tone of the image is intended to titillate the viewer and presents children as appropriate subjects for adult sexual attention. The image also encourages the crime of creating intimate visual recordings as it is reasonably expected that pictures are not taken of people while they are changing in changing rooms. The objectionable classification impedes on the right to freedom of expression as provided by the New Zealand Bill of Rights Act 1990, however it is reasonable and justified to prevent injury to the public good. It also reflects the concern of a free and democratic society to protect its young and vulnerable members from exploitation.